

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:16-CR-298-D

UNITED STATES OF AMERICA)
)
 v.) ORDER
)
 TREYTON LEE THOMAS,)
)
 Defendant.)

The court has given ample time to Treyton Lee Thomas (“Thomas”) to retain new counsel to represent him. To date, no new counsel has entered an appearance to represent Thomas.

The Sixth Amendment provides a defendant a “fair opportunity” to secure counsel of his own choice to represent him at trial on criminal charges. See Powell v. Alabama, 287 U.S. 45, 53 (1932); United States v. Farkas, 474 F. App’x 349, 356 (4th Cir. 2012) (unpublished). The right is not absolute. Farkas, 474 F. App’x at 356. If retained counsel fails to enter a notice of appearance by October 13, 2017, the Office of the Federal Public Defender of the Eastern District of North Carolina shall appoint counsel to represent Thomas.

The court finds that the ends of justice served by granting this extension outweigh the best interests of the public and the defendant in a speedy trial. The period of delay necessitated by this extension is excluded from speedy trial computation pursuant to 18 U.S.C. § 3161(h).

SO ORDERED. This 25 day of September 2017.

James C. Dever III
JAMES C. DEVER III
Chief United States District Judge